

ORIGINAL

COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

STEPHANIE BARNETT
5140 Hamilton Richmond Rd.
Oxford, Ohio 45056

Case No. A 1601339

Judge _____

Plaintiff

vs.

SARAH RONAN-BENTLE, M.D.
%Department of Emergency Medicine
University of Cincinnati Medical Center
231 Albert Sabin Way
Cincinnati, Ohio 45267

COMPLAINT with Jury Demand
Endorsed Hereon

and

MICHAEL C. PETRO, M.D.
%Department of Surgery
University of Cincinnati Medical Center
234 Goodman Street
Cincinnati, Ohio 45219

FILED

TRACY WINKLER
CLERK OF COURTS
HAMILTON COUNTY, OH

2016 MAR - 1 PM 12:04

Defendants

- Stephanie Barnett, an adult person, brings this cause of action on her behalf and for her sole benefit.
- At all times relevant herein, Defendant Sarah Ronan-Bentle, M.D. was a duly licensed physician in the State of Ohio holding herself out as an expert in the field of emergency medicine.
- At all times relevant herein, Defendant Michael C. Petro, M.D. was a duly licensed physician holding himself out as an expert in the field of general surgery.



D113751072

SG

COUNT I – MEDICAL NEGLIGENCE

4. Paragraphs one through three are hereby incorporated by reference as if fully restated herein.

5. On September 13, 2014, at approximately 6:30 a.m., Plaintiff was riding her motorcycle to her place of employment when she was struck by an automobile.

6. Plaintiff was travelling at approximately 50 miles per hour and she was thrown from her motorcycle by the collision.

7. At the scene of the collision the emergency medical personnel reported that Plaintiff was “unconscious”, “couldn’t remember what happened”, Plaintiff “couldn’t remember names of meds” or her complete medical history, and that Plaintiff scored 13 on the Glasgow Coma Scale.

8. Plaintiff was transported by aircare from the scene of the collision to the Emergency Department of the University Hospital of the University of Cincinnati.

9. Defendants Sarah Ronan-Bentle, M.D. and Michael C. Petro, M.D. were on duty as physicians at the Emergency Department of the University Hospital of the University of Cincinnati in the morning of September 13, 2014.

10. Defendants Sarah Ronan-Bentle, M.D. and Michael C. Petro, M.D. were advised that Plaintiff was at the emergency department after she was a motorcyclist struck by a car at greater than 20 miles per hour with separation of rider from bike, having ended up on the hood of the car, and that she was unsure if she lost consciousness but she was amnestic to the event.

11. Plaintiff received CT scans of her cervical spine, chest, abdomen pelvis, thoracic, and lumbar spine.

12. Defendants Sarah Ronan-Bentle, M.D. and Michael C. Petro, M.D. determined that Plaintiff did not require a CT scan of her head.

13. Plaintiff was discharged from the Emergency Department after approximately 7 hours with orders to follow-up with her primary care physician or the trauma clinic.

14. In the days immediately following September 13, 2014 Plaintiff experienced headaches, tinnitus, dizziness and confusion.

15. Plaintiff was seen by her primary care physician on September 19, 2014 for headaches and dizziness, and he ordered an MRI of her brain.

16. On September 23, 2014 an MRI was performed at Mercy Hospital Fairfield which revealed a small right occipital parietal subdural hematoma.

17. Plaintiff was transported from Mercy Hospital Fairfield to the University Hospital of the University of Cincinnati where she was admitted.

18. Defendants Sarah Ronan-Bentle, M.D. and Michael C. Petro, M.D. were negligent and deviated from the standard of care including, but not limited to, in failing to order and have performed a catscan or MRI of Plaintiff's head and brain on September 13, 2014.

19. As a direct and proximate result of the negligence of Defendants Sarah Ronan-Bentle, M.D. and Michael C. Petro, M.D., Plaintiff's subdural hematoma and related symptoms continued to go untreated for ten days during which time she developed increasing headaches, tinnitus, dizziness and confusion.

20. As a direct and proximate result of the negligence of Defendants Sarah Ronan-Bentle, M.D. and Michael C. Petro, M.D., Plaintiff suffered severe and permanent physical and emotional injuries.

21. As a direct and proximate result of the negligence of Defendants Sarah Ronan-Bentle, M.D. and Michael C. Petro, M.D., Plaintiff suffered severe physical pain and emotional suffering and will continue to so suffer into the future.

22. As a direct and proximate result of the negligence of Defendants Sarah Ronan-Bentle, M.D. and Michael C. Petro, M.D., Plaintiff has incurred lost wages and will continue to incur lost wages and diminution of her ability to earn income into the future.

23. As a direct and proximate result of the negligence of Defendants Sarah Ronan-Bentle, M.D. and Michael C. Petro, M.D., Plaintiff has incurred significant medical expense and will continue to incur such expense into the future.

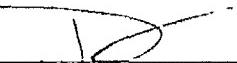
24. As a direct and proximate result of the negligence of Defendants Sarah Ronan-Bentle, M.D. and Michael C. Petro, M.D., Plaintiff has suffered a loss of enjoyment of life and will continue to so suffer into the future.

25. Plaintiff's injuries are permanent in nature.

26. On September 11, 2015, Plaintiff served Defendant Sarah Ronan-Bentle, M.D. with a Notice Pursuant to Ohio Revised Code 2305.11(B)(1), a copy of which is attached hereto as **Exhibit 1**.

27. On September 11, 2015, Plaintiff served Defendant Michael C. Petro, M.D. with a Notice Pursuant to Ohio Revised Code 2305.11(B)(1), a copy of which is attached hereto as **Exhibit 2**.

WHEREFORE, Plaintiff demands damages in an amount which will fully and fairly compensate her for her loss and injuries, which is in an amount in excess of Twenty Five Thousand dollars; her costs herein; and, for such further relief to which Plaintiff may be entitled.


Donald C. LeRoy (0024649)
Attorney for Plaintiff
9435 Waterstone Blvd.
Suite 140
Cincinnati, Ohio 45249
513-867-8200
513-785-3625-fax
dcleroy@fuse.net

JURY DEMAND

Plaintiff demands a trial by jury of the within action.

INSTRUCTIONS TO THE CLERK:

Please serve the Defendants by **Certified U.S. Mail**


Donald C. LeRoy (0024649)
Attorney for Plaintiff

Donald C. LeRoy
Attorney at Law

September 9, 2015

Sarah Ronan-Bentle, M.D.
Department of Emergency Medicine
University of Cincinnati Medical Center
231 Albert Sabin Way
Cincinnati, OH 45267

NOTICE PURSUANT TO OHIO REVISED CODE 2305.113(B)(1)

Dear Sir/Madam:

Please be advised that I have been retained by Stephanie Barnett, who is presently considering bringing legal action against you. This legal action is a result of the medical care and treatment you rendered to Stephanie Barnett on or about September 13, 2014, and thereafter.

Please advise your insurance representative of this statutory notice and letter of representation at the earliest possible time.

Very truly yours,


Donald C. LeRoy
Attorney at Law

DCL/jb
enclosure
cc: client

RETURN ON SERVICE

On the 11th day of September, 2015, I served the above named individual by
handing documents directly to Dr. Sarah Ronan-Bentle
Dated 9.11.15

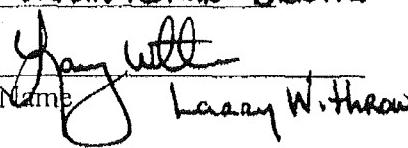

Name Larry W. Throw

EXHIBIT 1.

Donald C. LeRoy
Attorney at Law

September 9, 2015

Michael C. Petro, M.D.
%Department of Surgery
University of Cincinnati Medical Center
234 Goodman Street
Cincinnati, OH 45219

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Donald C. LeRoy
Attorney at Law

DCL/jb
enclosure
cc: client

RETURN ON SERVICE

On the 11th day of September, 2015, I served the above named individual by

leaving documents with the office manager Mandeth Sullivan

Dated 9-11-15

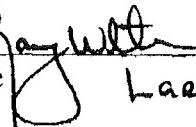
Laency Withrow
Name 

EXHIBIT 2.